

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

MINNIE TAYLOR, Individually and  
as Personal Representative of  
the ESTATE OF LOUIE TAYLOR,  
and HAROLD CUTHAIR,

Plaintiffs,

vs.

Case No.

21-cv-00613-GJF-JFR

THE UNITED STATES OF AMERICA,

Defendant.

**DEPOSITION OF CAMERON K. LINDSAY**

March 23, 2022

8:30 a.m.

via videoteleconference

PURSUANT TO THE FEDERAL RULES OF CIVIL  
PROCEDURE, this deposition was:

TAKEN BY: MS. CHRISTINE H. LYMAN

Attorney for the Defendant

REPORTED BY: MABEL JIN CHIN, NM CCR #81

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1 that the jail had to follow, but from my perspective  
2 they did not. So, again, this is not immunization  
3 just because you have this. You have to follow it,  
4 and that's --

5 MS. LYMAN: Sorry to interrupt, but did we  
6 lose Forrest again?

7 THE WITNESS: I beg your pardon?

8 MS. LYMAN: Forrest just dropped off my  
9 screen.

10 THE WITNESS: Oh, shoot.

11 (A recess was taken from 11:42 a.m.  
12 through 12:04 a.m.)

13 Q. (By Ms. Lyman) Mr. Lindsay, I think before  
14 we had the break we were starting to get into some of  
15 these standards that you opined have been breached in  
16 this case. I wanted to start with the BIA Corrections  
17 Handbook, which I believe you were citing here in  
18 paragraph -- starting on paragraph 83 of your report?

19 A. 83. Okay.

20 Q. You would agree that the BIA Corrections  
21 Handbook is one of the standards that apply to the  
22 Shiprock jail; correct?

23 A. Correct.

24 Q. I wanted to turn to paragraph 86. You  
25 referenced Section C 2-20-02 of the Corrections

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1 Handbook. And it states, and I believe that you're  
2 quoting from this section, "If an inmate meets any of  
3 the issues noted in 6 of the Arrestee Medical Clearance  
4 Form, they will not be booked into the facility until  
5 they have been medically screened and cleared by a  
6 medical healthcare provider." Do you recall what  
7 those issues were on that form?

8 A. Um -- not specifically.

9 Q. Paragraph 87, from the same -- quoting from  
10 the same section, states "The admission/booking  
11 officer will not admit/book any arrestee into the  
12 facility who has been deemed extremely intoxicated  
13 without medical clearance."

14 And then it also states, quote, "detention  
15 staff should use sound judgment for any" -- I'm sorry,  
16 I should share my screen. Let me back up. It also  
17 states "detention staff should use sound judgment for  
18 any other issues that may preclude an arrestee from  
19 being booked." And let me go ahead and share my  
20 screen there.

21 Did I read that correctly.

22 A. Yes.

23 Q. Okay. Now, I wanted to ask you about this  
24 paragraph 87. My reading of this section is that the  
25 medical clearance requirement is only triggered if an

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1 inmate has been deemed extremely intoxicated; is that  
2 correct?

3 A. Well, that's what it says here for C2-20-02,  
4 yes.

5 Q. Okay. In your experience, how -- are there  
6 set criteria or is there some way to delineate between  
7 when somebody is moderately intoxicated or mildly  
8 intoxicated or extremely intoxicated?

9 A. Not really, other than someone just trying  
10 to make an individual judgment, so that's why it's  
11 important to just have a rule, a fail-safe that if  
12 someone is under the influence or if they're having a  
13 psychotic break or if they appear to be under the  
14 influence of drugs, they must have a medical  
15 clearance.

16 Q. So, are you saying that -- is it your  
17 opinion that this rule is -- I guess --

18 Do you have a problem with Rule C2-20-02?

19 A. Do I have a problem with it? Not so much  
20 because -- I mean, I guess you're asking me, does --  
21 should it be more specific, should it say something  
22 more than just extremely intoxicated. Well, I might  
23 have an issue with that but, you know, the same issue  
24 is covered in paragraph 90 in the law enforcement  
25 handbook, that last sentence.

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1 Q. Okay. Can you read to me that last sentence  
2 and tell me how you think that that covers what we're  
3 talking about?

4 A. Well, "sick, injured, or extremely  
5 intoxicated prisoners shall be provided medical  
6 treatment." From my perspective, Mr. Taylor was  
7 extremely intoxicated. It doesn't say specifically  
8 alcohol here. So from my perspective, it's covered.  
9 I mean, his behavior would be covered under that.

10 Q. But you said that you would have to make an  
11 individual judgment to determine whether somebody is  
12 extremely intoxicated; correct?

13 A. No, just if they are intoxicated. If the  
14 person believes that -- if the staff member believes  
15 that they are under the influence, you have to have  
16 that medical clearance. They should not be accepted  
17 without it.

18 Q. So are you saying that they should have  
19 followed a different rule in this case? Because the  
20 rule says extremely intoxicated.

21 A. From my perspective he was extremely  
22 intoxicated. It killed him, so he might have been  
23 extremely intoxicated.

24 Q. Well, the rule here in paragraph 87 speaks  
25 to an arrestee who has been deemed extremely